

**WEST CHESTER TOWNSHIP  
ZONING COMMISSION  
January 27, 2020**

MEMBERS PRESENT: Jim Hahn, Richard Grow, Mark Murphy,  
Doug Rinnert, Larry Whited, Jim Williams

MEMBERS ABSENT:

STAFF PRESENT: Aaron Wiegand, Director  
Timothy Dawson, Township Planner  
Beverly Worley, Administrative Assistant  
Austin Musser, FBT; Legal Representation

LOCATION: Township Hall

CALL TO ORDER: 6:00 p.m.

Mr. Hahn called the meeting to order. Mr. Dawson called the roll. A quorum was established.

Mr. Rinnert made a motion to approve December minutes, seconded by Mr. Grow. Motion carried unanimously. Mr. Dawson called the roll.

Mr. Hahn made a motion to approve Resolution 19-21; all were in favor;  
Mr. Hahn made a motion to approve Resolution 19-22; all were in favor;

Mr. Dawson was sworn in. Mr. Dawson swore in case participants.

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**RFPD-01-20-A Tekulve; West Chester Office Park**

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The applicant is Joe Tekulve/West Chester Office Park. The applicant is requesting a Revised Final Development Plan for two, 7,500 s.f. self-storage buildings totaling 20 units on 7.71 acres located at 8603 Cincinnati Columbus Road.

Mr. Dawson presented the staff report including a PowerPoint presentation, aeriels, staff comments, and case history.

**Action**

The West Chester Township Zoning Commission is to approve, approve with modifications, or deny the submitted Revised Final Development Plan unless

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additional information is deemed necessary to make an informed decision.  
Mr. Grow asked if the front of the building would be full masonry.

Mr. Dawson gave description for the front of the building.

**Applicant**                    **Joe Tekulve**  
   **8603 Cincinnati Columbus Road**

Mr. Tekulve explained how this revised plan will make the area more conforming because the church/house doesn't fit the neighborhood/business district.

Mr. Rinnert asked if he was in agreement with the recommendations made by staff.

Mr. Tekulve stated he was.

**Proponents**                **None**

**Opponents**                **None**

**Neutral**                    **None**

**Deliberations**

Mr. Grow stated his concerns with the masonry and landscaping since the buildings will be closer to the road for the public to see.

Mr. Dawson explained the parking and landscaping strip.

Mr. Rinnert stated the project will be a nice addition and cleanup of the area.

Mr. Hahn agreed with the prior statement.

Mr. Williams stated as long as it meets all the requirements it will be a nice project.

**Mr. Williams made a motion to approve Case # - RFPD-01-20-A Tekulve; West Chester Office Park with the conditions and considerations made by staff and other agencies. Mr. Grow seconded the motion.**

**Aye: Mr. Hahn, Mr. Grow, Mr. Murphy, Mr. Williams, Mr. Rinnert**

**Nay:**

**Motion carries 5 - 0**

Mr. Hahn recused himself from the next case

Mr. Rinnert stated that the next case is only a recommendation and is expected to go before the Trustees on March 10, 2020.

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**MC01-20 Keefe Tract 2; Lots 1,2,4,6**

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The applicant is Liberty Way Investments, LLC. The applicant is requesting a Major Change to clarify intended character, appropriate use, and site layout located at Liberty Way, Tyler's Place Boulevard, and Preserve Place.

Mr. Dawson presented the staff report including a PowerPoint presentation, aerials, staff comments, and case history.

**Action**

The West Chester Township Zoning Commission is to recommend approval, approval with modifications, or denial of the submitted Major Change and Preliminary Development Plan unless additional information is deemed necessary to make an informed decision.

No questions from the Board.

**Applicant**                      **Yaromir Steiner**  
**4016 Townsfair Way**  
**Columbus OH**

Mr. Steiner introduced who came with him to present which will show that the project is in the spirit of the general retail definition.

**Thomas Dierling**  
**Millikin & Fitton Law Firm**  
**9032 Union Centre Blvd**

Mr. Dierling presented the history on this project and explained why this application will be beneficial to the community.

**John DelVerne**  
**Bayer Becker**  
**6900 Tylersville Road**  
**Mason OH**

Mr. DelVerne discussed the access road to this lot/parcel and his suggested change.

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Mr. Williams asked if they were eliminating one access for another.

Mr. DelVerne explained the realignment.

Mr. Williams asked him to address the traffic concern.

Mr. Steiner stated the only public streets around the lot are Liberty Way and Tylersville Road. He explained that they are being told by three different departments two different recommendations.

Mr. Williams asked for more detailed demonstration of the access.

**Emilie Perry  
Flying Pig Carwash  
7426 Briarpatch Lane  
Cincinnati OH**

Mrs. Perry presented the background of her family and their family history in the automotive industry and the passion behind this project.

**Winn Perry  
Flying Pig Carwash  
7426 Briarpatch Lane  
Cincinnati OH**

Mr. Perry addressed the technical side of the project: design, equipment and sound.

**Terry Ohnmeis  
Cushman & Wakefield  
716 Sycamore St.  
Cincinnati OH**

Cushman & Wakefield was hired by Steiner to attract retailers/attendance to this site. He explained their marketing efforts.

Mr. Steiner concluded the presentation.

No questions from the Board.

**Proponents**            **Kelly Shafer  
8026 Timbertree Way**

Ms. Shafer shared her support for this project.

**Mike Hamilton**  
**Planet Fitness**  
**8648 Coleview Ct**  
**Mason OH**

Mr. Hamilton shared his support for this project.

**Opponents**            **Jeff Swornstedt**  
**6963 Harbour Town Dr**

Mr. Swornstedt shared his concern about the business actually being a drive-thru whether the business is food or a carwash and the business virtually being in his backyard.

**Nick Ursini**  
**7252 St. Ives Place**

Mr. Ursini shared his concerns that government should not allow poorly performing or even failed capital investment projects change so they can earn a better return. Mr. Ursini shared his statistics.

**Shirley Reilman**  
**7504 Great Waters**

Ms. Reilman is in agreement with Mr. Ursini and added her concerns on the staging of cars waiting to get their car washed.

**Eve Wise**  
**7323 Charter Cup Lane**

Ms. Wise shared her concerns against this project.

**Mark Dunaway**  
**7099 Wetherington Dr**

Mr. Dunaway pointed out that this was not what was agreed to or discussed with previous application and approvals.

**William Dossenbach**  
**7194 Harbour Town Dr**

Mr. Dossenbach shared many of the previous comments. He added his concerns on the future development of the area if a carwash is permitted.

**Denise Gifford**  
**7183 Champions Lane**

Ms. Gifford stated she is a real estate agent and residents are coming back to her stating she misled them. Ms. Gifford is concerned how this will affect property taxes and the housing market in the affected area.

**Steve Boerger**  
**7204 Harbour Town**

Mr. Boerger shared his concern on future tracts of this property and what will come in next.

**Karen Barnes**  
**7111 Wetherington Dr**

Ms. Barnes shared her concerns how these businesses are affecting Wetherington. She asked the Board to be careful what they approve now because more businesses will ask to come in.

**Jason Watkins**  
**7278 Weatherby Ct.**

Mr. Watkins stated he agreed with previous discussions with traffic and access. Mr. Watkins stated his concerns regarding the noise and shared his recording from the new carwash located off Tylersville.

Mr. Williams informed the resident that the proposed technology is not the same and that the Board does have the capability of restricting sound at certain decimal levels.

**Ray Agyapong**  
**7424 Preserve Place**

Mr. Agyapong shared his concern of the economic impact to the neighborhood.

**John Banchy**  
**6993 Harbour Town**

Mr. Banchy stated that he is in agreement with all the previous comments. Mr. Banchy reiterated the sound concern because he can sit on his back porch now and hear all the noise from Planet Fitness development. He is concerned about the property resale value.

**Steven Johnson**  
**7106 Wetherington Dr**

Mr. Johnson stated he likes the carwash however this parcel is not the place for it.

**Abdullah Ramadan**  
**7087 Wetherington Dr**

Mr. Ramadan stated that when he bought his home 3 years ago he was told small shops were going in. Mr. Ramadan shared his concerns regarding noise and traffic. He also stated that you can quiet the compressor but you can't quiet the wind that comes out of it.

**Neutral**                      **Dan White**  
**7113 Champions Lane**

Mr. White agrees with Mr. Ursini about not needing any more retail or restaurants in the area. However he does feel it's a better fit for the property than Planet Fitness.

### **Deliberations**

Mr. Williams believed this project still meets the ordinance. He was a little concerned with the traffic and noise. However, change is inevitable.

Mr. Grow thanked the residents for their comments as it does help the Board to make decisions. Mr. Grow stated that the Board has six criteria to make a decision and one is 'the consistency of the adopted land use' and another is 'the welfare of the residents'. This project does not meet either one of those criteria.

Mr. Williams stated that the businesses are not for the residents; they are for the population of West Chester.

Mr. Murphy asked West Chester's Legal Representative about the pending litigation and what that means to this Board.

Mr. Musser stated that the litigation is not part of the Board deliberation on this application. The litigation pertains to a previous case that was denied because it didn't meet the criteria. This application is being brought as major change for it to meet the criteria of the land use.

Mr. Murphy stated his concern regarding noise and the drive-thru aspect of the business.

Mr. Whited also shared his concerns with the criteria that Mr. Grow spoke of. Mr. Rinnert stated the carwash is a nice carwash and he would love to see it in West Chester Township just not in this location. It's not consistent with the land use plan.

Mr. Williams stated he obviously feels differently. This is a business area; it's not in the middle of the residents.

Mr. Grow restated it's the wrong location based on the previous approvals.

**Mr. Whited made a motion to recommend to deny Case # - MC01-20 Keefe Tract 2; Lots 1,2,4,6. Mr. Grow seconded the motion.**

**Aye: Mr. Rinnert, Mr. Grow, Mr. Whited, Mr. Murphy**

**Nay: Mr. Williams**

**Motion carries 4- 1**

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**Administrative Business:**

The next ZC meeting is Monday, February 24 @ 6:00 p.m. This serves as Public Notice for this meeting.

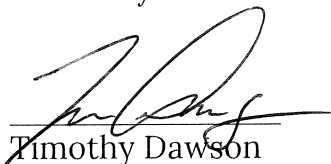
Mr. Rinnert adjourned the meeting at 8:05 p.m.

**These Minutes do not purport to be the entire record. A complete transcription of these proceedings was taken under supervision of the Secretary from an audiotape and may be obtained upon written request. Any charges for preparing such transcripts shall be borne by the person requesting same and must be prepaid.**

Chairman:

  
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Jim Hahn

Secretary:

  
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Timothy Dawson



**WEST CHESTER TOWNSHIP ZONING COMMISSION  
BUTLER COUNTY, OHIO  
RESOLUTION NO. 20-1  
TEKULVE; WEST CHESTER OFFICE PARK - RFDP (01-20-A)**

**WHEREAS**, on October 27, 2015, the West Chester Township Board of Trustees approved a Zoning Map Amendment from R-1A (Suburban Residential District) and B-2 (General Business District) to C-PUD (Commercial Planned Unit Development District) and Preliminary Development Plan (28-2015) to retain the existing businesses and develop the rear of the property with two (2), self-storage buildings, totaling 41 units within 30,750 square feet on approximately 7.71 acres; and,

**WHEREAS**, on June 20, 2016, the West Chester Township Zoning Commission approved a Final Development Plan (16-08) on June 20, 2016 to retain the existing development (Office, mixed general business, church/daycare, and a non-conforming residence) and proposes the development of three (3), self-storage buildings, totaling thirty-three (33) units within 22,350 square feet; and,

**WHEREAS**, on December 12, 2019, West Chester Office Park, LLC., submitted an application requesting a Revised Final Development Plan for approval to redevelop a church with two (2) self-storage buildings totaling 20 units within 15,000 square feet; and,

**WHEREAS**, on January 27, 2020, the West Chester Township Zoning Commission conducted a public hearing for the aforesaid application.

**NOW, THEREFORE BE IT RESOLVED**, that the West Chester Township Zoning Commission does hereby approve the aforesaid application as submitted with the following conditions:

- 1.) Revisions to the Revised Final Development Plan (RFDP) shall be submitted to the West Chester Township Community Development Department (WCTCDD) staff for approval within thirty (30) days with the following included:
  - Building elevations illustrating adequate, high-quality masonry materials on the proposed buildings.
- 2.) The overall PUD site shall remain subject to all previous approvals and conditions.
- 3.) A capacity verification of the existing and proposed storm drainage system and detailed stormwater drain pipe sizing calculations shall be provided to the

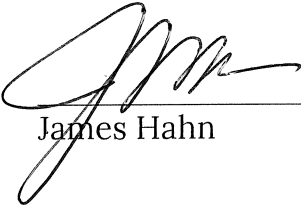
Butler County Engineer's Office (BCEO). All BCEO comments and concerns shall be addressed prior to the permitting stage and all requirements of the BCEO and WCT shall be met prior to the issuance of a zoning certificate.

- 4.) All access ways and internal roadways; connections and locations of fire hydrants; and all other applicable building and fire codes shall meet all West Chester Township Fire Department (WCTFD) and WCTCDD requirements prior to the issuance of a zoning certificate to ensure the site accommodates emergency services.
- 5.) All water and sanitary sewer main installation and sanitary lateral plans shall be coordinated with the Butler County Water and Sewer Department (BCWSD) prior to the issuance of a zoning certificate.
- 6.) All building signage shall be pursuant to the West Chester Township Zoning Resolution, Article 20 in regard to display area.
- 7.) Internally-illuminated building light fixtures and signage shall be prohibited from facing to the north or west.
- 8.) The property owner or a recorded property owners' association for the overall PUD shall be responsible for keeping all common features and elements well maintained and free from trash and litter; maintaining all drainage ways to ensure the detention areas perform the designated function; and all landscaping shall be well maintained in good condition.
- 9.) The PUD site shall comply with all requirements of the West Chester Township Zoning Resolution and the adopted Property Maintenance Code prior to a final zoning inspection.
- 10.) All comments from other reviewing agencies shall be adequately addressed to the satisfaction of the agencies and WCT at the zoning certificate review stage.
- 11.) The WCTCDD staff shall be authorized to approve minimal revisions to the approved FDP. Any changes to the plan that are required by other reviewing agencies shall be subject to approval by the WCTCDD staff.
- 12.) The temporary construction access and vehicle staging area shall be coordinated with the BCEO and WCT prior to the issuance of a zoning certificate, which shall be designed to support all construction traffic in all weather conditions. All roadways to access the site shall be maintained free of any dirt, debris, dust, etc. due to the construction of the site.

**BE IT FURTHER RESOLVED**, that all plats, plans, applications, and other data submitted are hereby incorporated in this approval. This action shall take effect this 24<sup>th</sup> day of February 2020.


West Chester Township  
Butler County

Chairman:



James Hahn

Secretary:



Timothy Dawson  
Township Planner

**WEST CHESTER TOWNSHIP ZONING COMMISSION  
BUTLER COUNTY, OHIO  
RESOLUTION NO. 20-2  
KEEFE; TRACT 2 (MC 01-20)**

**WHEREAS**, on March 9, 2004, the West Chester Township Board of Trustees approved a Zoning Map Amendment from A-1 (Agricultural District) to C-PUD (Commercial Planned Unit Development District) and Preliminary Development Plan (16-2004) that established the permitted uses and the access points to the site, including the extension of Tylers Place Boulevard to Hamilton-Mason Road (now Liberty Way) on approximately 47.82 acres; and,

**WHEREAS**, on February 9, 2016, the West Chester Township Board of Trustees approved a Zoning Map Amendment from C-PUD (Commercial Planned Unit Development District) to SP-PUD (Special Purpose Planned Unit Development District) and Preliminary Development Plan (04-2016) for Tracts 2 and 3, which included a mixed-use development of retail, restaurant, office, and residential uses on 18.15 acres; and,

**WHEREAS**, on October 17, 2016, the West Chester Township Zoning Commission approved a Final Development Plan for Phase 1 of Tracts 2 and 3 (16-18) for construction of the site, to include site grading, utilities, a stormwater retention area, Taylor Street, Private Street A, and Private Street B and the construction of sidewalks, street lighting, and landscaping along Taylor Street, Private Street A, and Private Street B; and,

**WHEREAS**, on June 19, 2017, the West Chester Township Zoning Commission approved a Final Development Plan for Phase 2 of Tracts 2 and 3 (17-12) for construction of the site, to include further site grading and utilities, a privacy fence, and initial landscaping within the landscape buffers along the south and west property lines; construction of Taylor Street, Private Street A, and Private Street B and the sidewalks; construction of street lighting and landscaping along Taylor Street, Private Street A, and Private Street B; and construction of sidewalks, fencing, and landscaping along Liberty Way/ Hamilton-Mason Road; and,

**WHEREAS**, on August 19, 2019, the West Chester Township Zoning Commission approved a Final Development Plan for Tract 2, Lot 8 (19-12) for a two-story, 30,650 square foot Planet Fitness on approximately 2.99 acres; and,

**WHEREAS**, on December 16, 2019, the West Chester Township Zoning Commission approved a Final Development Plan for Tract 2, Lot 8 (19-12) Lot 5 (19-22) was

approved on December 16, 2019 for a 4,176 square foot GE Credit Union with a drive-thru on approximately .99 acres; and,

**WHEREAS**, on January 14, 2020, the Butler County Planning Commission conducted a public hearing for the aforesaid application and recommended approval; and,

**WHEREAS**, on December 20, 2019, Liberty Way Investments, LLC., submitted an application requesting a Major Change to the PUD on Tract 2 for approval of a new site layout and appropriate character of general business uses on 12.5 acres; and,

**WHEREAS**, on January 27, 2020, the West Chester Township Zoning Commission conducted a public hearing for the aforesaid application.

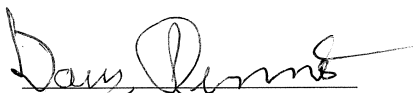
**NOW, THEREFORE BE IT RESOLVED**, that the West Chester Township Zoning Commission does hereby recommend denial of the aforesaid application as submitted.

**BE IT FURTHER RESOLVED**, that all plats, plans, applications, and other data submitted are hereby incorporated in this recommendation for denial. This action shall take effect this 24<sup>th</sup> day of February 2020.

West Chester Township  
Butler County

Vice Chairman:

Secretary:

  
Doug Rinnert

  
Timothy Dawson  
Township Planner